

CONSTITUTION

Rules and Order of Business

CALIFORNIA LABOR FEDERATION, AFL-CIO

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ARTICLE I

Name

Section 1. This body shall be known as the **CALIFORNIA LABOR FEDERATION, AFL-CIO**, herein called the Federation.

ARTICLE II

Objects and Principles

Section 1. The objects and principles of this Federation are:

(a) To aid workers in securing improved wages, hours and working conditions with due regard for the autonomy, integrity and jurisdiction of affiliated unions.

(b) To aid and assist affiliated unions in extending the benefits of mutual assistance and collective bargaining to workers and to promote the organization of the unorganized into unions of their choosing for their mutual aid, protection and advancement, giving recognition to the principle that both craft and industrial unions are appropriate, equal and necessary as methods of union organization.

(c) To encourage all workers without regard to race, color, sex, sexual orientation, national origin or ancestry to share equally in the full benefits of union organization.

(d) To promote and maintain harmonious relations between employer and employee to the end that each shall recognize the rights of the other.

(e) To create and give effect to a system whereby the affiliated organizations shall extend to each other moral and material aid when occasion arises.

(f) To study economic and social conditions and to pursue policies aimed at effecting a more equal distribution of wealth and promoting full employment.

(g) To secure legislation which will safeguard and promote the principles of free collective bargaining, the rights of workers, farmers and consumers, and the security and welfare of all the people and to oppose legislation inimical to these objectives.

(h) To use the good offices of this Federation to bring about the affiliation of all local unions in the state with their appropriate city central and department councils.

(i) To protect and strengthen our democratic institutions, to secure full recognition and enjoyment of the rights and liberties to which we are justly entitled, and to preserve and perpetuate the cherished traditions of our democracy.

(j) To aid and encourage the sale and use of union made goods and union services through the use of the union label and other symbols; to promote the labor press and other means of furthering the education of the labor movement.

(k) To protect the labor movement from any and all corrupt influences and from the undermining efforts of authoritarianism, totalitarianism, terrorism and all other forces that suppress individual liberties and freedom of association and oppose the basic principles of our democracy and free and democratic unionism.

(l) To safeguard the democratic character of the labor movement.

(m) While preserving the independence of the labor movement from political control, to encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful part in the political life of the local, state and national communities.

(n) To give constructive aid in promoting the cause of peace and freedom in the world and to aid, assist and cooperate with free and democratic labor movements throughout the world in conformity with the policy of the AFL-CIO.

ARTICLE III

Affiliations

Section 1. The following organizations located in California shall be eligible to affiliate with the Federation:

(a) All local unions chartered directly by the AFL-CIO, or by National or International Unions affiliated with the AFL-CIO.

(b) All central labor bodies chartered by the AFL-CIO, and those bodies chartered by the Departments of the AFL-CIO.

(c) All councils and joint boards chartered by National or International Unions affiliated with the AFL-CIO.

(d) A state chapter, of an AFL-CIO constituency group, or if no state chapter exists, a local chapter which has been designated by the national AFL-CIO constituency group. However, no AFL-CIO constituency group, or its delegates, may be present for or have voice or vote in any meeting or proceeding of the Federation concerning the endorsement of a political candidate or other partisan political activity concerning public elected office nor may any constituency group or its delegates be present for or have a voice or vote in any meeting or decision of the Federation's Committee on Political Education.

(e) A State Retiree Council, composed of local central body retiree councils, may be affiliated with the Federation.

Section 2. No organization officered, controlled or dominated by persons whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be permitted to affiliate with the Federation or be retained as an affiliate of the Federation.

Section 3. No organization that is not affiliated with the AFL-CIO or with an affiliate of the AFL-CIO shall be permitted to affiliate with the Federation or be retained as an affiliate of the Federation. No organization that has been suspended or expelled by a parent body affiliated with the AFL-CIO or by the AFL-CIO shall be permitted to affiliate with the Federation or be retained as an affiliate of the Federation.

ARTICLE IV

Officers

Section 1. The officers of the Federation shall consist of a President, a Secretary-Treasurer, a First Vice President, a Second Vice President, 55 At-Large Vice Presidents, and one Constituency Vice President.

Section 2. The Constituency Group Vice President shall be a representative of the combined AFL-CIO constituency groups affiliated with the Federation and shall have voice and vote in accord with the rules of the AFL-CIO. Any such delegate to the Executive Council shall be nominated and elected in the same fashion as the At-Large Vice Presidents. Such delegate to the Executive Council must meet all of the requirements of an At-Large Vice President and be a member of an AFL-CIO constituency group affiliated with the Federation.

Section 3. California's Labor Movement is among the most diverse in the nation and the

Executive Council should reflect this diversity. It is important to have representation of women, people of color, LGBTQ+, and youth. It should also include representatives from regions throughout California, including underrepresented regions, and from growing unions.

ARTICLE V

Elections

A. Officers

(1) Eligibility for Nomination

Section 1. Subject to the provisions of A (1) Section 2 of this Article, any individual who is a duly accredited delegate to the Convention and a member in good standing of at least one local union affiliated with the Federation and the AFL-CIO, may be nominated for office; providing, however, any incumbent officer who is a member in good standing of a local union affiliated with the Federation, regardless of whether or not they are a delegate and even though they are not personally present for reasons beyond their control, shall be entitled to run for their incumbent office.

Section 2. (a) No individual shall be eligible to be nominated for or to serve as an officer who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association. No person shall be eligible

to be nominated for or serve as an officer who holds a salaried position or any other position of administrative or executive authority in a union or any subordinate branch of a union, which has been suspended or expelled from the AFL-CIO.

(b) No individual shall be eligible to be nominated for and run for more than one office. Any individual who is nominated for an office may decline to accept the nomination for such office at any time prior to the close of nominations for such office.

(c) No individual shall be eligible to be nominated as an At-Large Vice President unless they are affiliated with at least one affiliated local union located in the state.

(2) Nomination Procedure

Section 1. Nominations and any contested election of officers shall be held during each odd numbered Biennial Convention commencing with the Twenty-third Biennial Convention held in July 2000. Any accredited delegate to such a convention may nominate a candidate for office.

Section 2. Nomination of candidates shall be made in the following order:

- (a) President
- (b) Secretary-Treasurer
- (c) First Vice President
- (d) Second Vice President

(e) At-Large Vice Presidents

(f) Constituency Group Vice President

Section 3. Nominations for officers for a succeeding term shall be made on the First Day of each odd numbered Biennial Convention.

(3) Election Procedure

Section 1. Every officer shall be elected by a majority of votes cast for all candidates for each respective office. Where there are more than two candidates for an office, and none receives a majority, the candidate receiving the lowest vote shall retire after each ballot.

Section 2. The form of the ballot shall be shown in the sample at the end of this section. It shall contain the names of all candidates for contested offices alphabetically arranged under the proper headings for each office with a blank following each name. The blank shall be of sufficient size for the placing thereon of the number of votes to which the voting delegate is entitled. At the top of each ballot, in addition to a blank for the number of the ballot, shall be left a blank in which shall be written the name of the organization which the delegate represents and another blank in which shall be written the name of the delegate voting. If a delegate is voting for their entire delegation they shall submit the written authorization required under Section 5, Article XIV B at the time they cast their ballot.

(Sample Ballot)

No.....
Name of Organization.....
Name of Delegate
(if authorized to vote entire delegation, attach
authorization signatures)
For Office Number of Votes
 Nominee 1
 Nominee 2.....
For Convention City:
 City 1
 City 2.....

Section 3. To be eligible to vote for officers of the Federation or the next convention city a delegate must have been seated as a delegate by the convention prior to the adjournment of the First Day of the convention.

Section 4. The election shall be in charge of an Election Board of twelve delegates, none of whom shall be candidates at the election at which they serve.

Section 5. The Election Board, subject to the approval of the convention, shall be appointed by the President immediately after nominations are completed.

Section 6. There shall be not more than one member of the Election Board from any one National or International organization.

Section 7. The Election Board shall consist of three Supervisors, and nine Tally Clerks. The Secretary shall prepare a sufficient number of ballots (which shall be numbered consecutively, beginning with No. 1), and issue them on roll call to delegates. After receipt of ballot, the delegate shall be required to retire immediately to a voting booth, which shall have been prepared by the Secretary and the Supervisors and mark the ballot. Said ballot shall then be placed in a proper receptacle.

(a) Any accredited delegate may be present and remain where the election is conducted during the hours of voting and during the counting of the ballots by the Election Board, but no delegate shall be permitted under any circumstances, to solicit votes inside the room where the election is being conducted or in the immediate vicinity of the entrance thereto.

(b) The Election Board shall have the right to eject from the election room any person who disturbs or interferes with the conduct of the election.

Section 8. The nine Tally Clerks shall divide themselves into three equal groups. After the ballots are cast and total number ascertained, the Supervisors shall divide the ballots into three parts as nearly equal as possible, giving each group of Tally Clerks one portion. After the counting and tallying of votes for all candidates, the Tally Clerks shall return tally sheets in duplicate with all ballots to the Supervisors. After the returns are in, a

tabulated sheet in duplicate (containing the results of the election) shall be prepared and submitted to the convention.

Section 9. A ballot shall be rejected if it is so mutilated or disfigured as to be considered invalid by at least nine members of the Election Board. No change in any vote or ballot shall be made by anyone after the ballot is in the custody of the election officers.

Section 10. The following pledge shall be given to the newly elected officers: "I (giving name) hereby pledge upon my most sacred honor that I will faithfully perform the duties of my office to the best of my ability and will uphold the Constitution of the California Labor Federation, AFL-CIO, and the decisions of its conventions, and the Constitution of the AFL-CIO and the rules governing state central labor bodies."

(4) Terms of Officers

Section 1. The terms of officers elected at odd number Biennial Conventions of the Federation shall be for a period of four years. Any office may be vacated by death, resignation or removal as provided for in this Constitution. The successor to any vacant office shall serve the unexpired portion of the term of that office.

All terms shall commence immediately upon adjournment of the odd numbered Biennial Convention at which the officers are elected.

B. Convention City

Section 1. The designation of the convention city for the following convention shall be by election of the convention.

Section 2. Nominations shall be made on the First Day by any then seated delegate of the convention.

Section 3. The names of the cities nominated shall be placed in the appropriate place on the ballot as specified in Article V. A. (3), Section 2, and shall be listed alphabetically with a blank following each name.

ARTICLE VI

Powers and Duties of the President

Section 1. The duties of the President shall be:

(a) To act as the chief executive officer of and represent the Federation and to have all other necessary powers to carry out their duties as chief executive officer and to also act as Director of COPE.

(b) To take charge of all books, papers, and effects of the Federation.

(c) To conduct the correspondence pertaining to their office.

(d) To transact any such business as may of right appertain to the office.

(e) To preside at all conventions and meetings of

the Executive Council or to designate the duties of the chair as needed.

(f) To call meetings of the Executive Council when necessary, but at least three times each year. Upon petition specifying the items to be considered, signed by ten of the members of the Executive Council, the President shall call a special meeting of the Executive Council which shall be restricted to the consideration of items in the petition.

(g) To exercise supervision over the affairs of the Federation.

(h) To sign official documents when required.

(i) To be custodian of the bond furnished by the Secretary-Treasurer.

(j) To make a report on the administration of their office at the convention.

(k) To represent the Federation.

(l) To appoint, subject to the approval of the Executive Council, and subject to the approval of the convention, such committees as are necessary to conduct the affairs of the convention, and after the convention has commenced, to change the composition of any committee, subject to the approval of the convention. Such committees may meet before the opening date of the convention and shall proceed to consider all resolutions, appeals, reports, and constitutional amendments submitted to the convention, and shall report thereon to the

convention.

(m) To appoint, subject to the approval of the Executive Council, from time to time any and all committees as may be necessary or desirable.

(n) To cast the deciding vote in the case of tie vote other than a roll call vote at conventions.

(o) To cause to be introduced and to support legislation favorable to organized labor before the California legislature and other legislative bodies; to oppose legislation hostile to organized labor, and to gather necessary data to perform these duties.

(p) To appoint representatives in any part of the state deemed necessary, and to direct their activities, subject to the approval of the Executive Council.

(q) To employ such office and staff personnel as deemed necessary for the conduct of the business of the Federation and of conventions of the Federation.

(r) To retain an attorney or attorneys to represent the Federation in all matters when in their judgement the services of any attorney may be necessary to protect the interest of labor, subject to the approval of the Executive Council.

(s) To submit to each regular convention a detailed report of the activities of the Federation during the twenty-four month period ending on the 30th of June preceding the convention.

(t) To represent the Federation at all conventions of the AFL-CIO; provided that in the event they shall notify the Executive Council of the Federation that they cannot attend the convention of the AFL-CIO, then the Executive Council shall designate the First or Second Vice President, or some other person if the President is not able to attend, to represent the Federation in their stead.

(u) To print proceedings of Federation conventions as deemed necessary.

(v) To submit to each regular convention a complete statement of all receipts and disbursements for the preceding two calendar years.

(w) To submit to each regular convention a detailed report of the activities of the Federation during the twenty-four month period ending on the 30th of June preceding the convention.

(x) To represent the Federation at all conventions of the AFL-CIO; provided that in the event they shall notify the Executive Council of the Federation that they cannot the convention of the AFL-CIO, then the Executive Council shall designate the First or Second Vice President, or some other person if the President is not able to attendm to represent the Federation in their stead.

ARTICLE VII

Powers and Duties of the Secretary-Treasurer

Section 1. The duties of the Secretary-Treasurer shall be:

(a) To receive and collect all monies due the Federation.

(b) To deposit all funds belonging to the Federation in federally insured bank or savings and loan association accounts in the name of California Labor Federation, AFL-CIO, as Secretary-Treasurer of the California Labor Federation, AFL-CIO.

(c) To deposit such money only in such federally insured bank, banks or savings and loan associations as shall have been designated by the Executive Council.

(d) To withdraw none of said monies in any manner other than by check, signed by himself and countersigned by the President or Vice President designated by the President, with their official titles.

(e) To maintain suitable offices for the Federation.

(f) To compile and keep up to date a list showing the name and the post office address of each of the principal officers of each affiliated organization.

(g) To make a summarized statement of all receipts and expenditures for regular periods specified by the Executive Council, to be audited by

an independent certified public accountant.

(h) To furnish a surety bond in the sum of \$10,000, to be issued by a bona fide surety company designated by the Executive Council, the premium on which shall be paid by the federation; provided, that the Executive Council shall have the power to increase the amount of said bond.

(i) To deliver to their successor all money, securities, books, papers, and other property of the Federation in their possession at the expiration of their term in office.

(j) To act as Secretary of all conventions and of the Executive Council and to keep all letters, documents, accounts, etc., open at all times to the inspection of all officers of the Federation.

Section 2. The California Labor Federation, AFL-CIO shall establish and maintain a Finance Committee consisting of no fewer than five (5) members each from a different international union as a standing committee. This committee shall meet quarterly, or additionally as necessary, to thoroughly review the finances of the organization, including all expenditures. The committee shall submit the report to the Secretary-Treasurer for review and approval prior to making a report at each meeting of the Executive Board.

Section 3. The Secretary-Treasurer shall receive their legitimate expenses incurred in the performance of their duties, and they shall submit

an itemized account of all money, traveling, and incidental expenses in the interest of the Federation.

ARTICLE VIII

Powers and Duties of the First Vice President

Section 1. The duties of the First Vice President shall be:

(a) To transact any such business as may of right appertain to the office.

(b) To preside at any conventions and meetings of the Executive Council where the President has so designated.

(c) To represent the Federation as needed.

Section 2: The First Vice President shall receive their legitimate expenses incurred in the performance of their duties, and they shall submit an itemized account of all money, traveling, and incidental expenses expended in the interest of the Federation.

ARTICLE IX

Powers and Duties of the Second Vice President

Section 1. The duties of the Second Vice President shall be:

(a) To transact any such business as may of right appertain to the office.

(b) To preside at any conventions and meetings of the Executive Council where the President has so designated.

(c) To represent the Federation as needed.

Section 2: The Second Vice President shall receive their legitimate expenses incurred in the performance of their duties, and they shall submit an itemized account of all money, traveling, and incidental expenses expended in the interest of the Federation.

ARTICLE X

Executive Council

Section 1. The Executive Council shall consist of the President, the Secretary-Treasurer, the First Vice President, the Second Vice President, the 55 At-Large Vice Presidents, and the Constituency Group Vice President. Should any delegate to the Executive Council resign or be unable to serve, die or be properly removed prior to the next odd numbered Biennial Convention a replacement shall be appointed by a majority vote of the Executive Council.

Section 2. The Executive Council shall meet not less than three times each year. It shall be authorized and empowered to take such action and render such decisions as will be necessary to carry out fully and adequately the decisions and instructions of the conventions between conventions and shall have the power to direct the affairs of the Federation

and its affiliated organizations for the purposes set forth in the Constitution and in the resolutions adopted by conventions. The Executive Council shall meet at the request of the President, the Secretary-Treasurer or not less than ten members of the Executive Council who jointly make such a request. A majority of the members of the Executive Council shall constitute a quorum which shall be required to transact business.

Section 3. The Executive Council shall have power to make rules governing matters not in conflict with the Constitution, and shall report all such rules to the convention.

Section 4. It shall be the duty of the Executive Council, which may be delegated to a duly established Legislative Committee of the Executive Council, to watch legislative matters affecting the interest of the working people, and to take appropriate steps toward such legislative action as may be necessary and of assistance to the President in carrying out their legislative responsibilities. Either the Executive Council or its Legislative Committee shall have the authority to review all resolutions adopted by convention action calling for the introduction of legislation, and the President shall cause to be introduced only such legislation as the Executive Council or its Legislative Committee believes desirable and proper at the time the session of the legislature commences; provided that the sponsor or sponsors of the resolutions shall be

notified accordingly; provided, further that this limitation shall not apply to any resolution, adopted by the convention by at least a two-thirds vote, in which resolution it is expressly provided such proposed legislation shall be introduced without any further review by the Executive Council or its Legislative Committee.

Section 5. In case of a vacancy in the office of President due to inability to serve, resignation, or other cause, the Executive Council shall immediately elect one of the Vice Presidents until their successor is elected.

Section 6. In event of a vacancy in any office of the Federation other than that of President, by reason of death, resignation, or other cause, the President shall make such vacancy known to the Executive Council and shall call for nominations either at the meeting of the Executive Council in which the vacancy is announced or at the next meeting. In case of a vacancy in any office of Vice President, all nominations shall be subject to the same limitations applicable to the predecessor in office specified in Article V herein, except that the nominee need not have been a delegate to a convention of the Federation. The names of all nominees shall be submitted to the Executive Council, and it shall require a majority vote of the Council to elect. Upon each unsuccessful balloting, the name of the candidate receiving the lowest number of votes shall be dropped. In case of vacancy in the office of

Secretary-Treasurer, the same procedure shall be followed as in the case of Vice President.

Section 7. No elected or appointed officer of the Federation shall endorse or support any candidate for political office who is running for office in opposition to a political candidate endorsed by the Federation in convention or by the Executive Council, except under the following circumstances: Any Federation officer who is opposed to the endorsement of a candidate by the Federation shall so inform the convention or Executive Council, at the time of the endorsement. Any officer of the Federation endorsing a candidate for political office or statewide ballot proposition contrary to the Federation's endorsement shall not be permitted to use their official title as an officer of the Federation in making such endorsement. If their title as an officer of the Federation is used without their consent, they will then issue a signed statement to the involved press, radio, political committee, and any other organization, denying the endorsement as an officer of the Federation, and shall furnish a notarized copy of their denial statement to the President of the Federation, with their written permission for the use of such statement.

Section 8. Except as provided in Section 7 of this Article, the Executive Council shall have power, by a majority vote of said council, to suspend, expel, or otherwise discipline any officer or affiliate of the Federation for violation of this Constitution, or for

any act or conduct detrimental to the Federation or contrary to the established principles and policies of the Federation and of the AFL-CIO; provided, that the Council shall first accord such officer or affiliate a fair and impartial trial, upon 30 days written notice having been first served upon such officer or affiliate, setting forth the time and place of such hearing and the nature of the charges filed against such officer or affiliate. Any such officer or affiliate who has been convicted of any offense upon such trial shall have the right to appeal to the next regular convention of the Federation and to the National AFL-CIO pursuant to Rule 27 of the Rules Governing State Central Bodies.

If a Vice President is absent from three consecutive Executive Council meetings without good cause, the Vice President's office shall be declared vacant, subject to the above appeals procedure.

Section 9. It shall be the duty of the Executive Council to furnish each regular convention with a printed report of its actions during the twelve-month period ending on the 30th of June preceding the convention.

Section 10. From time to time, upon a recommendation from the President, the Executive Council may budget major functions of the Federation.

Section 11. The Executive Council shall meet prior to each convention for the purpose of

making recommendations, including submission of resolutions, statements of policy and similar matters, or for the transaction of such other business as may be necessary to insure the proper organization and conduct of the convention. The appointment of convention committees by the President shall be subject to the approval of the Executive Council and the convention, qualified by the provisions of Article VI, Section 1 (i) herein.

Section 12. The appointment of any and all committees, other than convention committees, from time to time as herein provided or as may be necessary or desirable shall be subject to the approval of the Executive Council.

Section 13. The Executive Council following action by affiliated central labor councils and unions involved, shall have the power to place firms and commodities on the Federation's "We Don't Patronize List," consistent with the policies of the AFL-CIO and in accordance with its rules and regulations.

ARTICLE XI

Committees

Section 1(a) Committees appointed by the President shall work in conjunction with the officers and under the supervision of the Executive Council. Committee members need not be members of the Executive Council but all appointments are contingent upon approval by the Executive Council.

(b) The President shall designate staff as necessary to work with a committee.

(c) No committee shall in any way concern itself in matters which involve jurisdictional claims.

(d) All committee members must be and remain members in good standing of an affiliated local union.

(e) No individual who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union which has been suspended or expelled from the AFL-CIO shall be eligible to be appointed as a committee member or designated as staff to a committee.

(f) No individual who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be eligible to be appointed as a committee member or designated as staff to a committee.

ARTICLE XII

Compensation

Section 1. The Finance Committee of the Executive Council shall review the President's salary and compensation package yearly, based on the national and state economy, and utilizing the

various Cost of Living indexes, to ensure fair and adequate compensation. Such salary determinations must be made in accordance with all state laws, including equal pay laws.

Section 2. The Compensation Committee shall make a recommendation for prospective salary increases and for how to allocate the discretionary income.

ARTICLE XIII

Revenues

Section 1. The revenues of the Federation shall be derived as follows:

(a) From each affiliated union affiliated pursuant to Article III, Section 1, subdivision (a) per capita payment of 60¢ per month in 2009, 65¢ in 2010 and 70¢ in 2011 and thereafter upon the full paid-up membership in California of the affiliated union. The number of members upon which per capita payment shall be paid shall be the number from whom regular monthly dues payments are received during the preceding month by the affiliated union. Partial or token affiliation shall not be permitted. From these payments 30¢ per month shall accrue to the General Fund commencing January 1, 2009 and 35¢ per month commencing January 1, 2010. From these payments 10¢ per month shall continue to accrue to a special account within the General Fund to be used exclusively for coordinated campaigns of internal membership communications and not for

contributions to candidates. From these payments 10¢ per month shall continue to accrue to the fund for the Standing Committee on Political Education. From these payments 10¢ per month shall accrue to the Million More Voters Fund commencing January 1, 2009 and 15¢ per month commencing January 1, 2011. All activities applicable to these respective Funds and the expenses with respect to them shall be separately debited against each respective separate Fund and separately accounted for.

The amounts accruing to the special account within the General Fund for coordinated campaigns shall be used exclusively for coordinated campaigns of internal membership communication and shall not be used for contributions to candidates.

Amounts accruing to the Standing Committee on Political Education reflect voluntary earmarked contributions at 10¢ per month from individual members of affiliated unions and will be utilized, in part or in whole, for contributions to candidates for California legislative and constitutional offices. No per capita payment shall be made by or on behalf of financial core members of affiliated unions. To the extent constitutionally required by applicable law no member of the Standing Committee on Political Education Executive Council required to be registered as a lobbyist shall play any role in making or arranging contributions to candidates for elective office nor shall such contributions be made through such officers. At all times such applicable

restrictions of law exist contributions to candidates shall be made and arranged through and by the other elected officers of the Standing Committee on Political Education Executive Council. To the extent constitutionally required by applicable law individuals paying voluntary earmarked contributions to the Standing Committee on Political Education shall at all times be deemed members of the Standing Committee on Political Education.

The Executive Council does not have the authority to increase per capita but may, by a two-thirds vote, temporarily reallocate prospective per capita, other than that payable to COPE, between individual accounts as special circumstances or legal issues arise. Any such reallocation shall be reflected when the Constitution is printed as required by Article XIX.

Any increase in per capita shall become effective upon approval of the AFL-CIO President. At least ninety (90) days notice shall be given when seeking such approval.

(b) From each local central body, joint board, and other similar bodies and councils affiliated under the provisions of Article III, Section 1, subdivisions (b), (c), (d) and (e) \$50.00 per year, payable in January of each calendar year which shall accrue to the General Fund.

Section 2. These monies shall be deposited in federally insured bank or savings and loan

association accounts maintained in the name of California Labor Federation, AFL-CIO, or in such other form of investment as may be designated from time to time by the Executive Council which conforms to good sound investment policy in strict conformity with the prudent man rule.

Section 3. An account entitled "Pension Fund" shall be established. The Executive Council is authorized and empowered to transfer into such account any and all sums which it deems reasonably necessary to meet the purposes of such Fund.

ARTICLE XIV

Good Standing

Section 1. In the event any union fails to pay its per capita tax for a period of three months, it shall be notified by the Secretary-Treasurer, in writing, not later than the fifteenth day of the fourth month, that it will be suspended at the end of said fourth month unless all delinquent per capita tax is paid. Any union so suspended can only be reinstated by a vote of the Executive Council, and upon the tender of payment of the four months' per capita tax owed as herein provided; provided, however, that if a union three months in arrears upon receipt of its notice from the Secretary-Treasurer during the fourth month that it is about to be suspended, shall notify the Executive Council in writing that it is temporarily unable to pay its per capita tax because all of its funds have been expended in a strike, or because of other good cause, then

the Executive Council, when such union makes application for reinstatement, and upon proof of the claim that funds have been expended in a strike or upon demonstration of the existence of good cause to the satisfaction of the Executive Council, may reinstate the union and waive the reinstatement fee. In extreme cases, because of the exhaustion of funds in a strike or other good cause, the Executive Council shall have discretionary authority to waive the suspension requirements altogether.

In any case in which the Executive Council waives suspension or reinstates a union as provided in the preceding paragraph, it may also specify the number of delegates and roll call votes which such union will be permitted at the convention following such action.

In order to be entitled to vote for officers during the convention, suspended unions must have been reinstated at least three months prior to the month in which the convention takes place.

Section 2. The Executive Council may, if it is convinced that the request of an affiliated organization involved in a strike or lockout is justified, exonerate the affiliated organization from per capita payment for a specified period, and may also specify the number of delegates and roll call votes which such union will be permitted at the convention following such action.

Section 3. Whenever any affiliated organization

is delinquent four months in its per capita payment, the Secretary-Treasurer shall notify the delinquent organization that its affiliation has been suspended. A copy of this notice of loss of affiliation shall be sent the principal officers of the National or International Union to which the delinquent organization is affiliated.

ARTICLE XV

Conventions

A. General

Section 1. The convention shall be the supreme governing body of the Federation.

Section 2 (a). The Federation shall meet as determined by the Executive Council in a Special Preprimary Election Convention for the sole purpose of the consideration of endorsement of candidates and statewide propositions; provided the date of such convention must be within thirty days before or after the filing of candidates for offices for such election.

(b) The Federation shall meet in Regular Biennial Convention convening every even-numbered year on a date selected by the Executive Council at such convention city as the preceding convention shall have selected. A separate part of such convention shall be devoted to a Pre-General Election Convention, the business of which shall be confined solely to the consideration of endorsement of candidates and statewide propositions, and ap-

propriate resolutions pertaining to political action. Nothing which properly can be the subject matter for action by a convention of the California Labor Federation, AFL-CIO, may be included within any resolution or proposed resolution submitted to a Pre-General Election Convention, nor made the subject matter of discussion or motion from the floor of the Pre-General Election Convention.

(c) If in the city selected for the Regular Biennial Convention, the hotel, restaurant, or other necessary convention facilities, are inadequate or unsatisfactory, or if other good cause is found to exist, the Executive Council is authorized to select another convention city and/or change the convention date.

Section 3. By a two-thirds vote of the members of the Executive Council, a special convention may be called and if so called the provisions of this Article shall be applicable except that the notice of the convention may be shortened, provided it must be at least 30 days prior to the date of the special convention. Such special convention shall, however, be limited solely to the subject or subjects specifically and definitely indicated in the “call” for such special convention.

Section 4. Notice of any regular convention shall be issued by the President in the form of a “convention call” to all affiliates at least 60 days prior to the opening date of the convention. If after the issuance of the convention call the site and/or

date of the convention is changed, a mere notice of such change to all affiliates shall be deemed sufficient to meet the requirement of this Section.

Section 5. The conventions of the Federation shall be composed of duly accredited delegates from affiliated organizations together with the incumbent officers of the Federation.

Section 6. None other than accredited delegates shall be permitted to address the convention unless accorded the privilege by a two-thirds vote; provided, that the President shall have the authority to permit guest speakers to address the convention, subject to the supervision and control of the number of guest speakers by the Executive Council.

Section 7. Local committees on arrangements for the convention shall not use the name of the Federation in the public solicitation of any funds, the sale of tickets, or the sale of advertising space in souvenir programs, etc., nor shall such committees be permitted to solicit funds, the sale of tickets, or the sale of advertising space in souvenir programs, etc., in the territory of the labor movement of any other city. Upon infraction of this rule, it shall be mandatory upon the Executive Council to select another convention city.

Section 8. The rules and order of business governing the preceding convention shall be in force from the opening of any convention until new rules have been adopted.

Section 9. A quorum shall consist of delegates from twenty-five affiliated local unions.

Section 10. The President shall cause to be printed daily a synopsis of the proceedings of the convention. At the beginning of each session of the convention they shall have available for each delegate a printed synopsis of the proceedings of the day before.

Section 11. The President shall prepare and submit to the convention a list of the average per capita paid membership for the fiscal year of each affiliated local union.

Section 12. It shall require 30% of the delegates present and voting to demand a roll call vote upon any vote where a roll call is not otherwise specified in this Constitution.

Section 13. Any action taken by the convention, except an amendment to the Constitution other than one specified in Article XXI, Section 2, shall be effective immediately unless timely notice or reconsideration or other effective action to rescind is taken pursuant to the rules of parliamentary procedure applicable to the convention.

B. Representation

Section 1. Only organizations in good standing with the Federation, whose per capita tax (including approved exonerations) is paid in full up to the third month prior to the month in which the convention is

held shall be entitled to representation by delegates to the convention.

Section 2. No organization shall be entitled to representation unless such organization has applied for affiliation at least three months prior to the first day of the month of opening date of the convention and no person shall be recognized as a delegate who is not a member in good standing of at least one of the organizations issuing the credentials to them at the time they receive credentials from the secretary of the affiliate; provided, that organizations chartered within three months of the opening date of the convention shall be eligible to representation.

Section 3. Representation at the convention shall be governed as follows:

(a) Each regularly affiliated union shall be entitled to representation as follows: two delegates for the first 750 members or less; one delegate for the next succeeding 750 members up to 1,500 members; and one additional delegate for each succeeding 1,000 members up to 4,500 members, and one additional delegate for the succeeding 1,500 members up to 6,000 members, and one additional delegate for each succeeding 2,000 members up to 12,000 members, and one additional delegate for the succeeding 3,000 members up to 15,000 members, and one additional delegate for any additional members beyond 15,000 members. In no event, however, shall any union be entitled to more than twelve delegates.

1 – 750 members = 2 delegates

751 – 1,500 members = 3 delegates

1,501 – 2,500 members = 4 delegates

2,501 – 3,500 members = 5 delegates

3,501 – 4,500 members = 6 delegates

4,501 – 6,000 members = 7 delegates

6,001 – 8,000 members = 8 delegates

8,001 – 10,000 members = 9 delegates

10,001 – 12,000 members = 10 delegates

12,001 – 15,000 members = 11 delegates

15,001 plus members = 12 delegates

On all questions where a roll call vote is taken, each delegate shall vote an equal percentage of the membership of the union he or she represents; provided, that all fractional votes shall be eliminated.

For roll call votes at the convention, the number of members of each union shall be the average monthly number on which per capita tax is paid into the Federation during the twenty-four month period ending on the last day of the third month immediately preceding the month of the opening date of the convention, as determined by dividing the total amount paid during each period by twenty-four times the full monthly per capita charge

set forth at Article XIII, Section 1, subdivision (a).

For the purpose of selecting delegates to the convention the number of members of each union shall be the average monthly number of members on which per capita tax is paid into the Federation during the twenty-four month period ending on the last day of the seventh month immediately preceding the month of the opening date of the convention as determined by dividing the total amount paid during the period by twenty-four times the full monthly per capita charge set forth at Article XIII, Section 1, subdivision (a). Unions which first affiliate on or before the last day of the third month immediately preceding the month of the convention but after the last day of the seventh month immediately preceding the month of the opening date of the convention shall be entitled to two delegates. The per capita vote of any such new affiliate shall be calculated in accord with the third paragraph of this subsection and its good standing shall be determined in accord with Section 1 of this Part B.

However, an organization exonerated from payment pursuant to the provisions of Article XIV, Section 1, or Section 2, hereof, shall be entitled to representation and vote as determined by the Executive Council as therein provided.

(b) Central bodies and other similar bodies and councils eligible for affiliation under subsections (b), (c) and (d) of Section 1, Article III, shall be

entitled to two delegates. Each delegate shall be entitled to one vote.

(c) The State Retiree Council eligible for affiliation under subsection (e) of Section 1, Article III shall be entitled to three delegates. Each delegate shall be entitled to one vote.

Section 4. Each incumbent officer of the Federation may participate in the convention with voice and one vote even though they are not a delegate.

Section 5. No proxies shall be allowed, but on roll call or per capita vote, one delegate, upon prior written approval of all co-delegates, may vote for the entire delegation.

Section 6. No delegate shall be permitted to represent more than one organization, but a delegate from a central labor body or other similar body or council eligible for affiliation under subsections (b) and (c) of Section 1, Article III, may also represent the affiliated local union in which they hold membership in good standing, if they have credentials from such local union; provided, further, a delegate may represent up to three affiliated local unions, affiliated with the same National or International Union, with a combined per capita vote of not more than 1,200, if the delegate is a member in good standing in at least one of such locals from which they have received credentials.

C. Certification of Delegates

Section 1. Delegates and alternates to the convention of the Federation shall be elected or otherwise designated by the affiliate and shall receive credentials from the secretary of such affiliate. A duplicate of the same shall be forwarded by such secretary to the President of the Federation prior to the convention.

Section 2. If any alternate presents credentials and is seated in place of the delegate-elect, he or she shall be the recognized representative throughout the remaining sessions of the convention.

Section 3. The President shall prepare a preliminary roll of delegates where no contest is filed, from duplicates in their possession, and such delegates so returned by the President shall have the power to transact business until the report of the Committee on Credentials is received and adopted.

Section 4. Delegates from central labor bodies and other similar bodies and councils eligible for affiliation under subsections (b), (c) and (d), Section 1, Article III, shall not be seated in the convention unless the local union in which they hold membership in good standing is affiliated with the Federation.

Section 5 (a) No individual who holds a salaried position, or any other position of administrative or executive authority in a union or subordinate branch of a union which has been suspended or expelled from the AFL-CIO shall be eligible to serve

as a delegate to the conventions of the Federation.

(b) No individual who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be eligible to serve as a delegate to the conventions of the Federation.

Section 6. No delegate shall be seated except upon presentation of a proper credential from an organization in good standing which credential shall be examined and attested to by the Credentials Committee as to eligibility of the delegate and the standing of the organization sending the delegate. The Credentials Committee may conduct hearings. Credentials rejected by the Credentials Committee shall be noted in the Committee's report to the convention. Any erroneous determination by the Credentials Committee may be reversed by a majority vote of seated delegates.

D. Resolutions

Section 1. All resolutions to be considered by the convention shall be forwarded to the President on or before the fifteenth day immediately preceding the opening day of the convention except in instances where such resolutions have been acted upon and approved by regularly constituted and affiliated statewide organizations at conventions or conferences held during the 15-day period

immediately preceding the opening day of the convention, in which event such resolutions shall be received by the President not later than 9 p.m. on the day immediately preceding the opening day of the convention. The President shall number the resolutions in the order received, and shall refer them to the proper committee.

Any resolution not submitted within the time specified in this Constitution but which is delivered to the President prior to noon on the first day of the convention shall be reported to the convention by the Secretary prior to the adjournment on the first day of the convention as a late resolution and shall not be referred to any committee for consideration unless and until the convention so orders by a vote of two-thirds of the members present and voting on such first day of such convention on request of a delegate.

No resolutions may be introduced at the Special Preprimary Election Convention called solely for the consideration of endorsements of candidates and statewide measures.

Section 2. No resolutions shall be received unless signed by an executive officer of an affiliate of the Federation or bearing the seal of such affiliate.

Section 3. The President shall cause all resolutions properly filed with them under Section 1 of this Article D. Resolutions and all resolutions, statements of policy and similar matters submitted to the convention by the Executive Council under

the authority of Section 11, Article X, to be printed, and copies distributed to the delegates of the convention prior to the opening session thereof or as soon thereafter as practical, but not later than the opening of the second day's session together with a synopsis of the proceedings of the first day. The printing of resolutions shall include the number assigned each resolution by the President, and the name of the committee to which it has been referred, as well as the name or names of the delegate or delegates of the affiliate or affiliates which introduced it and the name and/or number of the affiliate or affiliates.

E. Committees

Section 1. Subject to the provisions of Article VI, Section 1 (i) herein, five days prior to the assembling of the regular Biennial and the Special Preprimary Election conventions, the President shall appoint a Committee on Credentials of delegates-elect who shall apportion the vote of each as provided in Section 3 of Article XV (B) and report the same to the convention in writing on the first day of the convention. The President, in appointing this committee, shall choose from delegates-elect against whom no contest has been filed, and, if practical, from those residing in the vicinity where the convention is to be held. Members of this committee shall be reimbursed for expenses in an amount determined by the Executive Council.

Section 2. Subject to the provisions of Article

VI, Section 1 (i) herein, ten days prior to the assembling of the regular Biennial convention, the President shall appoint committees on Resolutions, Legislation, Constitution and Rules and Order of Business, the members of which shall be reimbursed for expenses in an amount determined by the Executive Council. The committees appointed under this section shall consider all resolutions submitted to the convention and referred to them by the President under Section 1 of Article XV (D) and also all statements of policy, appeals and related matters referred to them by the President, and shall report thereon to the convention.

Subject to the provisions of Article VI, Section 1 (i) herein, ten days prior to the assembling of the Special Preprimary Election Convention, the President shall appoint committees on Rules and Order of Business and such other committees as may be required, the members of which shall be reimbursed for expenses in an amount determined by the Executive Council. These committees shall act in the same manner as specified under Section 2. E, Committees, of this Article.

Section 3. The minimum number of members on any committee shall be fifteen.

F. Political Recommendations and Endorsements

Section 1. It shall be the exclusive right of the Executive Council to recommend to the Special

Preprimary Election Convention and to the Pre-General Election Convention for the consideration of endorsement of candidates for all of the following offices:

United States Senators

State Governor

State Lieutenant Governor

Secretary of State of California

State Controller

State Treasurer

State Attorney General

Superintendent of Public Instruction

State Insurance Commissioner

The State Board of Equalization

Justices of the California Supreme Court and the California Courts of Appeal, any other statewide office, and to make recommendations concerning statewide ballot propositions.

Section 2. It shall be the exclusive right of the various Central Labor Bodies of the AFL-CIO duly established in specified areas of the State of California to recommend to the Executive Council for endorsement by the convention in accordance with the Rules Governing Committees on Political Education of State and Local Central Bodies and in

accordance with the Constitution of the Federation and By-Laws adopted thereunder, candidates for the Congress of the United States, and for the State Senate and State Assembly in such areas; provided, however, if any such candidate is running for office from an area embracing at least in part an area covered by more than one Central Labor Body, it shall be the duty of the Central Labor Bodies in that area to meet and confer and jointly to recommend to the Executive Council for endorsement by the convention and no recommendation as to any such candidate may be made to the Executive Council in any such case by any of the individual Central Labor Bodies involved.

At least thirty days prior to the Special Preprimary Election Convention, or the Pre-General Election Convention, the President of the California Labor Federation COPE shall send a written notice to the respective Central Labor Bodies in an area covered by more than one Central Labor Body informing them of their requirement to meet and confer to secure a joint recommendation if possible. If any Central Labor Body refuses to meet or confer for this purpose, the remaining Central Labor Body or Bodies recommendation will be considered a duly established joint recommendation.

If a joint recommendation of those councils present is not possible, the Executive Council shall have the exclusive right to recommend a candidate for such office to the Convention.

The Executive Council shall have the exclusive right to recommend for endorsement to the Convention when a Central Labor Body or Bodies fail or fails to submit a recommendation.

Any recommendation as to any such candidate shall be concurred in by the Executive Council and recommended to the convention for endorsement, unless two-thirds of the members present and voting of said Executive Council reject such recommendation. In the event of such rejection, the Executive Council shall have the exclusive right to recommend a candidate for endorsement for such office to the convention.

Section 3. No affiliated organization may endorse any candidate for any of the offices mentioned in Section 1 of this Article.

Section 4. No recommendation may be presented from the floor of the convention for action on any office unless the recommended action concerning such office has already been rejected by convention action.

Section 5. With respect to convention action, all endorsements shall be by at least a two-thirds majority vote of the delegates present and voting, in accordance with the per capita formula specified in this Constitution.

Section 6. The President and the Secretary-Treasurer jointly shall designate an advisory group, composed of not more than eighteen

individuals to sit with the Executive Council as an interviewing committee for the purpose of making recommendations to the Executive Council for candidates for statewide office.

Section 7. The Executive Council shall have full power to act and make endorsements after consultation with the local COPE in any particular area whenever and wherever an office is left open.

Section 8. The Executive Council shall be authorized to withdraw the endorsement of any candidate should the actions of a candidate be detrimental to the labor movement.

Section 9. The Executive Council shall have full power to act and make endorsements after consultation with the local COPE of a candidate in a special election to fill any vacancy for the Congress of the United States, and for the State Senate and State Assembly.

ARTICLE XV

Autonomy

Section 1. This Federation recognizes the right of each affiliate to manage its own affairs, and guarantees autonomy to all its affiliates.

ARTICLE XVI

Compliance With National Body

Section 1. This Federation shall comply with all rules and regulations of the AFL-CIO and all Codes established by the AFL-CIO for state central bodies

in accordance with the AFL-CIO Constitution.

ARTICLE XVII

Strikes, Lockouts, Boycotts

Section 1. All affiliated organizations desiring the assistance of the Federation in labor disputes shall submit to the President of this Federation, for approval by the Executive Council, a full statement of the grievances. Organizations violating this section shall forfeit all claims upon the Federation for support.

Section 2. Where a lockout occurs, which, upon investigation, proves to have been unavoidable by the affiliate involved, compliance with Section 1 of this Article shall not be necessary. In such instances, the members of the affiliate affected shall be entitled to assistance.

Section 3. Subject to Section 1 of this Article, any affiliate having the sanction of its National or International in any strike shall be accorded the endorsement of this Federation, if no jurisdictional dispute is involved between affiliated organizations.

Section 4. The amount of support the Federation may grant shall be determined by the funds it has on hand.

Section 5. In the event of a strike or lockout, only such affiliates shall be eligible to financial support from this Federation as have been in good standing in the Federation for a period of six months prior to

the strike or lockout.

Section 6. Applications by affiliates to place firms or commodities on the “We Don’t Patronize List” of the Federation shall not be considered by a convention unless the Executive Council of the Federation has had an opportunity to adjust the differences between the affiliate and the employer. The Executive Council by its own action under authority of Section 13, Article X, may place firms or commodities on the “We Don’t Patronize List”.

Section 7. All of the actions taken by the Federation under this Article shall be subject to the Constitution of the AFL-CIO and the rules and regulations of the AFL-CIO.

ARTICLE XVIII

Political Action

Section 1. There shall be a Standing Committee on Political Education of the Federation which shall be responsible to the Executive Council of the Federation. Any action undertaken by such committee shall be governed by the applicable provisions of the Constitution of the AFL-CIO, by the Rules Governing Committees on Political Education of State and Central Bodies and by the Constitution and By-Laws of the Federation. The Committee on Political Education shall be composed of the officers of the Federation and the members of the Executive Council, herein elsewhere referred to as the “Executive Council”.

Section 2. Any member who disagrees with the

Federation endorsement of state candidates or statewide measures may make a written request to the President, prior to October 30 of the given election year, to refund to their union that portion of their per capita tax which has been allocated to the Committee on Political Education, not to exceed the prior 24 months. Upon receipt of such written request, the President shall make such refund.

ARTICLE XIX

Distribution of Constitution

Section 1. Upon final approval the Secretary-Treasurer shall provide the latest updated version of the Constitution and Rules and Order of Business adopted by the Biennial Convention to each affiliated organization.

ARTICLE XX

Amendment of Constitution

Section 1. The Constitution may be amended or altered by resolution only at a convention of the Federation. A two-thirds majority of votes cast shall be required.

Section 2. Those sections of the Constitution pertaining to officers and their duties shall go into effect immediately after their adoption, contingent upon approval of the President of the AFL-CIO.

Section 3. The Constitution as amended at each biennial convention, shall be in full force and effect, as a whole, immediately upon adjournment

of the convention, contingent upon approval of the President of the AFL-CIO.

Section 4. Amendments to the Constitution shall become effective when approved by the President of the AFL-CIO. All such amendments may be submitted to the President of the AFL-CIO for pre-convention approval. Any amendment requiring an increase in per capita shall allow ninety (90) days to seek approval of the AFL-CIO President before implementing such increase.

Section 5. All resolutions dealing with changes in this Constitution must clearly state the Article, Section and page number referred to, including the specific language which is being deleted or added verbatim. Any resolution failing to comply with the requirements of this section shall be rejected by the President and not numbered or prepared for reference to any convention committee but the Secretary-Treasurer shall be required to report the fact of rejection to the convention prior to the adjournment of business on the first day of the convention.

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